



DAC

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John Karl Buche

jbuche@westerniplaw.com

August 2, 2006

Office of Petitions
MAIL STOP PETITIONS
PO BOX 1450
Alexandria, VA 22313-1450

Via US 1st Class Mail

**Re: Application No. 10/756,973 (Molded Laminate for Musical Instrument
and Method of Manufacturing Molded Laminate Musical Instrument)**
Re: Provision of Statement Under 37 U.S.C. 3.73(b)

Dear Commissioner:

The above referenced application was recently revived, however, the Petitions Attorney, Kenya A. McLaughlin, kindly pointed out that a statement had not been filed in accordance with 37 U.S.C. 3.73(b) to permit correspondence with my firm.

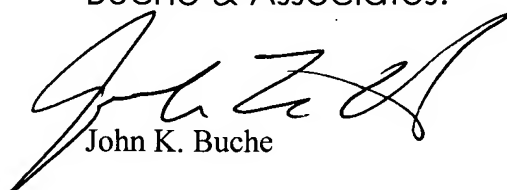
Accordingly, this document has been completed and is being forwarded herewith, along with a true and correct copy of the referenced assignment.

Please file stamp and return a copy of this letter in the enclosed, self-addressed postage pre-paid envelope.

Do not hesitate to call with any questions.

Sincerely,

Buche & Associates:



John K. Buche

enclosures



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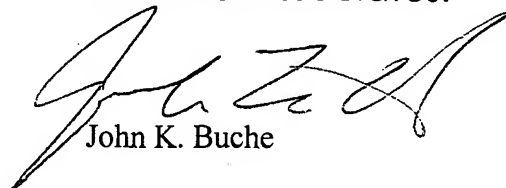
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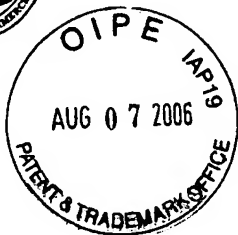


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UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

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JUL 21 2006

OFFICE OF PETITIONS

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEOVICI LLP
TEN POST OFFICE SQUARE
BOSTON, MA 02109

In re Application of :
Parker, et al. :
Application No.: 10/756,973 : ON PETITION
Filed: January 14, 2004 :
Attorney Docket No: PKRG-002XX :

This is in response to the petition under 37 CFR 1.137(b) filed May 22, 2006.

The petition under 37 CFR 1.137(b) is granted.

On April 24, 2004, a "Notice to File Missing Parts of Nonprovisional Application" (the "Notice") was mailed by the Office allowing a two-month period for reply. Extension of time were available pursuant to 37 CFR 1.136(a). The Notice required an executed oath or declaration, \$65.00 surcharge, and replacement drawings. A proper reply was not received within the allowable period, and the application became abandoned on July 25, 2004. A Notice of Abandonment was mailed on March 27, 2006.

The above-identified application has been abandoned for an extended period of time. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply form the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178; 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109) (applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office.

The executed declaration filed May 22, 2006, is noted and made of record.

The Revocation of Power of Attorney and Appointment of Attorney, filed May 22, 2006, is noted but cannot be entered as it is signed by a purported assignee, but a certificate under 37 CFR 3.73(b) has not been filed giving the assignee power to take action in the prosecution. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed to the address of currently of record until such time as appropriate instructions are received to the contrary.

This application is being forwarded to the Office of Initial Patent Examination for further processing.

In re Application of Parker, et al.
10/756,973

page 2

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3222.



Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

cc:

John K. Buche
Buche & Associates, PC
7777 Fay Avenue, Suite 205
LaJolla, CA 92037



BEST AVAILABLE COPY

PTO/SB/06 (12-02)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: U.S. Music Corporation

Application No./Patent No./Control No.: 10/750,973 Filed/Issue Date: 1/14/2006

Entitled: Molded Laminates for Musical Instrument and Method of Manufacturing Molded Laminates Musical Instrument

U.S. Music Corporation

(Name of Assignee)

a corporation

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

In the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014222, Frame 0608, or a true copy of the original assignment is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Rudolph W. Schlachter
Signature

RUDOLPH W. SCHLACHTER

Printed or Typed Name

PRESIDENT

Title

8.2.06

Date

817-849-0444

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: U.S. Music Corporation

Application No./Patent No./Control No.: 10/756,973 Filed/Issue Date: 1/14/2004

Entitled: Molded Laminate for Musical Instrument and Method of Manufacturing Molded Laminate Musical Instrument

U.S. Music Corporation, a corporation

(Name of Assignee)

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014662, Frame 0608, or a true copy of the original assignment is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

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The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Date

RUDOLPH W. SCHLACHTER

847-949-0444

Printed or Typed Name

Telephone Number

PRESIDENT

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. PATENT ASSIGNMENT

WHEREAS, Parker Guitars, Inc., a Massachusetts corporation ("Assignor") with a business address of 226 Andover St., Wilmington, MA 01887, is the owner of the patents now registered and unregistered in the United States Patent and Trademark Office described on Exhibit A attached hereto.

WHEREAS, U.S. Music Corporation, an Illinois corporation, having its principal offices at 444 East Courtland, Mundelein, Illinois 60060 ("Assignee") is desirous of acquiring said patents.

NOW, THEREFORE, in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, transfers and assigns to U.S. Music Corporation all of its right, title and interest in the United States in and to said patents described on Exhibit A and registrations or other interests and rights thereof, together with all claims for damages by reason of infringement of same, with the right to sue for and collect the same for its own use and enjoyment, and for the use and enjoyment of its successors, assigns or other legal representatives.

AND, Assignor hereby Warrants and covenants that it has the full right to convey the entire interest herein assigned and that it will not execute any agreements inconsistent herewith.

AND, Assignor agrees to execute any instruments to perform any acts that may be necessary to fully effectuate and record this Assignment.

SIGNED this 21 day of April, 2004.

PARKER GUITARS, INC.

By: 

Drew Hannah, Chief Executive Officer

STATE OF MASSACHUSETTS

COUNTY OF MIDDLESEX

Before me, a Notary Public, on this 21 day of April 2004, personally appeared Drew Hannah, to me known and known to me to be the Chief Executive Officer of Parker Guitars, Inc., a Massachusetts corporation, the assignor above named, and acknowledged

that he executed the foregoing U.S. Patent Assignment on behalf of said assignor and pursuant to his authority duly received.

WISSAL NOUCHRIE, Notary Public
Commonwealth of Massachusetts
My Commission Expires Nov. 5, 2010

Notary Public
WISSAL NOUCHRIE

(SEAL):



Exhibit A

- Stringed Musical Instrument - U.S. Patent No. 5,125,312
- Stringed Musical Instrument - U.S. Patent No. 5,189,235
- Stringed Musical Instrument with Visual Images - U.S. Patent No. 5,305,674
- Stringed Musical Instrument
with Multi Laminate Fretboard - U.S. Patent No. 5,337,644
- Stringed Musical Instrument - U.S. Patent No. 5,616,873
- Vibrato for a Stringed Musical Instrument - U.S. Patent No. 5,637,818
- Molded Laminates for Musical Instruments (provisional patent application) -
Docket Number PKRG-002Xq800